

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.		50623.311
First Inventor		Stephen D. Pacetti
Title	BIOLOGICALLY ABSORBABLE COATINGS FOR IMPLANTABLE DEVICES BASED ON COPOLYMERS HAVING ESTER BONDS AND METHODS FOR FABRICATING THE SAME	
Express Mail Label No.		EV 337 973 630 US

10/805036 U.S.PTO

031604

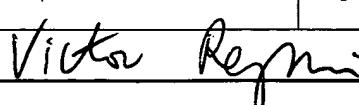
APPLICATION ELEMENTS	ADDRESS TO:	
See MPEP chapter 600 concerning utility patent application contents.		
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 75] (preferred arrangement set forth below) <ul style="list-style-type: none"> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure </p> <p>4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets]</p> <p>5. Combined Declaration and Power of Attorney [Total Pages 2] <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). </p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>Commissioner for Patents Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies </p>	
		ACCOMPANYING APPLICATIONS PARTS
		<p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> 2 Return Receipt Postcards (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other:</p>

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: _____ / _____
Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)					<input checked="" type="checkbox"/> Correspondence address below
Name	Victor Repkin				
Address	Squire, Sanders & Dempsey L.L.P.				
	1 Maritime Plaza, Suite 300				
City	San Francisco	State	CA	Zip Code	94111
Country	USA	Telephone	(415) 954-0200	Fax	(415) 393-9887
Name (Print/Type)	Victor Repkin		Registration No. (Attorney/Agent)	45,039	
Signature			Date	March 16, 2004	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

1,274.00

Complete if Known	
Application Number	New
Filing Date	Herewith
First Named Inventor	Stephen D. Pacetti
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	50623.311

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None Order
 Deposit Account:

Deposit Account Number

07-1850

Deposit Account Name

Squire, Sanders & Dempsey L.L.P.

The Director is authorized to: (check all that apply)

-
- Charge fee(s) indicated below
-
- Credit any overpayments
-
-
- Charge any additional fee(s) during the pendency of this application
-
-
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code (\$)	Fee Description	
1001	770	Utility filing fee	770
1002	330	Design filing fee	
1003	520	Plant filing fee	
1004	750	Reissue filing fee	
1005	160	Provisional filing fee	
SUBTOTAL (1)			(\$ 770.00)

2. EXTRA CLAIM FEES

Total Claims	-20 **	=	Extra Claims	Fee from below	Fee Paid
Independent Claims	41	-20 **	= 21	X 18	= 378
Multiple Dependent	4	-3 **	= 1	X 86	= 86
	0			X 0	= 0

Large Entity Small Entity

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code (\$)	Fee Description
1202	18	Claims in excess of 20
1201	84	Independent claims in excess of 3
1203	280	Multiple dependent claim, if not paid
1204	84	** Reissue independent claims over original patent
1205	18	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 464.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	Surcharge - late filing fee or oath	
1052	50	2052	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	Non-English specification	
1812	2,520	1812	For filing a request for reexamination	
1804	920*	1804	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	Requesting publication of SIR after Examiner action	
1251	110	2251	Extension for reply within first month	
1252	420	2252	Extension for reply within second month	
1253	950	2253	Extension for reply within third month	
1254	1,480	2254	Extension for reply within fourth month	
1255	2,010	2255	Extension for reply within fifth month	
1401	330	2401	Notice of Appeal	
1402	330	2402	Filing a brief in support of an appeal	
1403	290	2403	Request for oral hearing	
1451	1,510	1451	Petition to institute a public use proceeding	
1452	110	2452	Petition to revive – unavoidable	
1453	1,300	2453	Petition to revive – unintentional	
1501	1,330	2501	Utility issue fee (or reissue)	
1502	470	2502	Design issue fee	
1503	630	2503	Plant issue fee	
1460	130	1460	Petitions to the Commissioner	
1807	50	1807	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	Submission of Information Disclosure Stmt	
8021	40	8021	Recording each patent assignment per property (times number of properties)	40.00
1809	750	2809	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	Request for Continued Examination (RCE)	
1802	900	1802	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 40.00)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Victor Repkin	Registration No. Attorney/Agent)	45,039
Signature			Telephone (415) 954-0200
Date	March 16, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)		First Named Inventor	Stephen D. Pacetti
Title	BIOLOGICALLY ABSORBABLE COATINGS FOR IMPLANTABLE DEVICES BASED ON COPOLYMERS HAVING ESTER BONDS AND METHOD FOR FABRICATING		
		Atty. Docket Number	50623.311

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 16, 2004

Date



Signature

(415) 954-0200

Telephone Number

Victor Repkin, Reg. No. 45,039

Typed or printed name and Reg. No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450; Alexandria, VA 22313-1450.